

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

May 4, 1992

MEMORANDUM

SUBJECT: Region III Approach to Stabilization

FROM: Sylvia K. Lowrance, Director  
Office of Solid Waste

TO: Bruce P. Smith, Associate Division  
Director for RCRA Programs, Region III

I appreciate your interest concerning the "Stabilization Initiative" and your candor in providing Region III's views on how this initiative should be implemented. Although the RCRA stabilization initiative was the result of a collective effort by the National RCRA Stabilization Work Group made up of State, Regional, and Headquarters' members, I welcome this opportunity to further clarify our goals and provide you with additional guidance regarding the implementation of this initiative. The questions you pose in your letter of February 14, 1992 are important. A clear answer to these questions is needed to help ensure the successful national implementation of this initiative.

Before responding to your questions, however, I would like to applaud your efforts in forming a Regional work group to focus on implementation of this initiative. I firmly believe that this initiative, whose goal is to reduce risk and control the spread of contamination at as many RCRA facilities as possible, is critically important to the future of the RCRA Corrective Action Program. We must not define success for the Program only in terms of final cleanup actions completed. Actions that are taken to reduce risk and prevent the spread of contamination at RCRA facilities are good measures of the Corrective Action Program's impact on environmental quality. All of us within the Agency need to recognize and communicate this goal to the public and facility owners and operators.

Questions 1 and 2: When is a site considered to be stabilized and what is the best approach for pursuing site stabilization?

Answer: The Agency is not counting or tracking "stabilized facilities" as the measure of our progress in implementing the stabilization initiative. Rather, the Agency is counting and tracking actions taken at RCRA facilities to reduce risk and prevent the spread of contamination. Facilities are first evaluated for potential stabilization actions after the RFA stage in the corrective action process. The goals of this evaluation are to: (1) determine whether there are any actual or imminent human or ecological exposures to releases occurring at the facility, (2) determine whether any known releases are likely to

significantly spread in the absence of near term action, and (3) identify priority information needs for the owner/operator to address early in the RCRA Facility Investigation. Priority information needs might include obtaining hydrogeological information on ground-water flow rates and hydraulic conductivity or environmental sampling data for SWMUs that the Agency strongly suspects of having a release that is spreading.

When the Agency establishes for a facility that there is actual or imminent exposure to a release and/or one or more known releases that will significantly spread in the absence of action, cleanup actions need to be identified and the owner/operator required to take these actions under interim measure authorities. The focus should be on taking quick action to address actual or imminent exposures to releases and on controlling the spread of known releases, not on investigating and eliminating all sources or potential sources of release at a facility.

When actions are initiated at a facility, such as installing a pump and treat system to contain a ground-water plume, we count the activity as a cleanup action underway at the facility. Such actions may or may not result in the Agency extending the schedule of compliance for the full RFI or in reducing the level of oversight for the completion of the RFI. However, the Agency expects that these types of steps to phase the RFI will be appropriate at some facilities, because the most environmentally significant releases are being addressed.

The stabilization evaluation that occurs after the RFA is completed is not the only time that this type of evaluation should be conducted at a facility. The Agency should review and evaluate data provided through the RFI to identify any additional releases which either are causing actual or imminent human exposures or are significantly spreading. When such releases are identified, action should be taken to reduce the risk and prevent the further spread of contamination.

The Region III approach of assessing all SWMUs and eliminating all significant sources of releases as the benchmark for environmental improvement under the stabilization initiative is different from the approach developed by the National RCRA stabilization Work Group. The Work Group emphasized taking near term actions to address actual or imminent exposures and controlling the spread of known releases, as soon as information indicates that such actions will be beneficial. The focus of this initiative should not be on deferring cleanup actions until all releases from SWMUs have been assessed nor should it necessarily be on implementing source control measures at all SWMUs with releases.

Question 3: How should interim measures be related to stabilization?

Answer: Requiring owner/operators to take interim measures through permits and orders to address actual or imminent human exposure or to control the spread of known releases is one way in which the goals of the stabilization initiative are achieved. Other ways include voluntary actions by owner/operators to reduce risk and prevent the spread of contamination. Taking near term cleanup actions at RCRA facilities to address actual or

imminent human exposures or to control the spread of known releases is a high priority activity for the RCRA Corrective Action Program. The Agency is not targeting these activities in the STARS system in FY92 or FY93 because it is unclear at this time what percentage of facilities will emerge from the stabilization evaluation process with measures being identified for implementation.

Interim measures should be viewed as tools to achieve the stabilization goal. The opportunity exists for an interim measure to become the final corrective action remedy, where appropriate, and should be compatible with the final corrective action wherever possible. This philosophy should allow for a smoother transition from addressing the worst SWMUs at a facility to the final cleanup.

In closing, I appreciate the time and effort you are spending in discussing the stabilization initiative within your Region and in trying to make it as successful as possible. While we differ in some areas in our current thinking, it is important that we continue a dialogue between Headquarters and the Regions as you move to implement this initiative. I would like your thoughts on re-convening the RIS-Corrective Action Implementation Work Group (led by Dev Barnes, Andy Bellina, and Sue Bromm) as a vehicle for continuing this dialogue.

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